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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/937,777 | 10/01/2001 | Satoru Ouchi | 110700 | 7090 |

7590
09/24/2003
Oliff & Berridge
PO Box 19928
Alexandria, VA 22320

EXAMINER

CHERUBIN, YVESTE GILBERTE

| ART UNIT | PAPER NUMBER |
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3713

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/937,777

Applicant(s)

OUCHI, SATORU

Examiner

Yveste G. Cherubin

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-10,15-18,21 and 26-29 is/are allowed.
- 6) ☒ Claim(s) 1-4,11-14,19,20 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the Application No. 09/937,777 filed on October 1, 2001 in which claims 1-29 are pending. It carries priority from PCT/JP01/01070 filed on February 15, 2001.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4, 11-14, 19-20, 22-25 are rejected under 35 U.S.C. 102(a) as being anticipated by Okayama et al. (US Patent No. 5,045,939).

As per claims 1-2, 4, 11-14, 19-20, 22-23, -25 Okayama discloses an apparatus utilizing motion detector for generating image data corresponding to a 16:9 wide screen television signal and generating/converting that image to a 4:3 normal screen television signal (see title, abstract, 3:4-6) with no distortion. Okayama further discloses an extracting unit for selectively extracting a part of the wide screen television signal to obtain the normal television signal, 2:11-28. As per claims 3, 13, 24, Okayama discloses a detecting means for detecting a motion of the picture produced by the wide screen signal, see abstract and 2: 23-25.

Art Unit: 3713

Allowable Subject Matter

3. Claims 5-10, 15-18, 21, 26-29 are allowed.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. US Patent No. 4,953,025 to Saitoh, which teaches apparatus for defining an effective picture area of a high definition video signal when displayed on a screen with a different aspect ration.

b. US Patent No. 5,400,077 to Cookson, which teaches system for generating multiple aspect ratio video signals from motion picture disk recorded in a single aspect ratio.

c. US Patent No. 5,896,177 to Hwang, which teaches a device for controlling an aspect ratio in TV monitor integrated wide screen receiver.

d. US Patent No. 5,914,754 to Kori et al. which teach video signal aspect ratio conversion apparatus.

e. US Patent No. 6,011,526 to Toyoshima et al. which teaches a display apparatus operable in synchronism with a movement of the body of a viewer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yveste G. Cherubin whose telephone number is (703) 306-3027. The examiner can normally be reached on 9:30 - 6:00.


Art Unit: 3713

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, T. Walberg can be reached on (703) 308-1327. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2159.

September 14, 2003

ygc



Teresa Walberg
Supervisory Patent Examiner
Group 3700